IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

CRL.A.No. 973 of 2007()

AGAINST THE ORDER DATED 24/02/2007 IN MC.1/2007 IN
SC.218/2006 of ADDL. DISTRICT & SESSIONS COURT(ADHOC) FAST TRACK COURT-III, PATHANAMTHITTA
CP.70/2005 of JUDL.MAGISTRATE OF FIRST CLASS COURT, THIRUVALLA

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APPELLANTS/COUNTER PETITIONERS 1 & 2

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1. ABDUL MAJEED, THAKIDIPARAMPIL VEEDU,
   PAIPPADU VILLAGE, CHANGANACHERI TALUK.

2. SOUDHA KHADAR, MANNILE VEEDU,
   KIZHEKKEN MUTHOOR MURI,
   KUTTAPPUZHA VILLAGE,
   THIRUVALLA TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P.SRI.PUZHAKARA MUHAMMED

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. Thankappan, J.

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Crl.A.No. 973 of 2007

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Dated this the 13th day of June, 2007

JUDGMENT

This appeal is filed against the order passed in M.C.No.1/2007 in S.C.No.218/2006 on the file of the Court of the Addl. District & Sessions Judge (Adhoc) Fast Track Court-III, Pathanamthitta. The above case was registered against the appellants, who are the sureties of the 8th accused in S.C. No.218/2006, as they failed to produce the accused on the appointed date. The bail bonds executed by the appellants were forfeited and the appellants were directed to pay an amount of Rs.25,000/- each and in default to undergo detention in civil prison for one month each. The learned counsel submits that the appellants have not been given sufficient time to produce the accused.

2. Having heard the learned counsel for the appellants and having perused the materials placed on record, this Court is of the view that ample time has been given to the appellants to produce the accused in the above case. In these circumstances, the contention now raised by the learned counsel for the appellants are not sustainable.

3. Considering the facts and circumstances of the case, this Court is inclined to reduce the penalty to Rs. .20,000/- each. Ordered accordingly.

With the above modification, the appeal is disposed of as above.

K.Thankappan,
Judge.

mn.

K. Thankappan, J.

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Crl.A.No. /200

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Judgment
-5-2007